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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,650	01/18/2001	Stephen James Williams	C36510/10472	9072

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EXAMINER

NGO, LIEN M

ART UNIT

PAPER NUMBER

3727

DATE MAILED: 12/01/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/622,650

Applicant(s)
Williams et al.

Examiner
Lien Ngo

Art Unit
3727



— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4-24-01.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above, claim(s) 5-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5 20) ☐ Other: _____

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DETAILED ACTION

Specification

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "42" has been used to designate both screw threads (fig. 1) and clock ring (fig. 5). Correction is required.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "screw thread 12" disclosed in page 6, line 3, is not shown in the drawing. Correction is required.

Claim Objections

4. Claims 5-14 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, these claims have not been further treated on the merits.

Claim Rejections - 35 USC § 103

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cautereels (5,316,160) in view of Sanz et al. (EP 0819471). Cautereels discloses, in figs. 1 and 2, a feeding bottle comprising a body 10, a body mouth 22 which is sealable by a screw closure 42, and a teat 18 having a flange 20 of smaller diameter than the body mouth. Said flange is clamped to the closure by a retainer 24, wherein the retainer has a periphery 26 clamped between the closure and a rim 22 of the body when the closure is in a closed position. Cautereels does not disclose the bottle made of plastic and the closure being irremovable from the body when it is in the closed position. However, Sanz et al. teach, in fig. 3, a feed bottle comprising a set of ratchet teeth on a closure which cooperate with a lug on the bottle so that the closure being irremovable from the bottle when it is in the closed position. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the feeding bottle of Cautereels having a irremovable closure, as taught by Sanz et al., in order to make a disposable feeding bottle for once use only.

The feeding bottle made of plastic is well known in the art.

7. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ritsi (3,549,036) in view of Sanz et al. (EP 0819471). Ritsi discloses, in figs. 1, 2, 4 and 7, a plastic

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feeding bottle comprising a body 10, a body mouth 11 which is sealable by a screw closure 14, and a teat 13 having a flange 30 of smaller diameter than the body mouth. Said flange is clamped to the closure by a retainer 18, wherein the retainer has a periphery 17 clamped between the closure and the rim of the body when the closure is in a closed position. Ritsi does not disclose the closure being irremovable from the body when it is in the closed position. However, Sanz et al. teach, in fig. 3, a feed bottle comprising a set of ratchet teeth on a closure which cooperate with a lug on the bottle so that the closure being irremovable from the bottle when it is in the closed position. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the feeding bottle of Ritsi having a irremovable closure, as taught by Sanz et al., in order to make a disposable feeding bottle for once use only.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Phlaphongphanich teaches a bottle nipple having a retainer member with a central stub cylinder.

Brown et al. teach a shield for a bottle nipple.

Reiser teaches a feeding bottle having a retainer member.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lien Ngo whose telephone number is (703) 305-0294. The examiner can normally be reached Monday through Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful. The examiner's supervisor, Lee Young, can be reached at (703)308-2572. The Group FAX number is (703) 305-3597.

Any inquiry of a general nature or relating to the status of the application should be directed to the Group receptionist at (703) 308-1148.



Lien Ngo

November 16, 2001



LEE YOUNG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700